

1 George Haines, Esq.
2 Nevada Bar No. 9411
3 Gerardo Avalos, Esq.
4 Nevada Bar No. 15171
5 **FREEDOM LAW FIRM, LLC**
6 8985 South Eastern Ave., Suite 100
7 Las Vegas, NV 89123
8 Phone: (702) 880-5554
9 FAX: (702) 385-5518
10 Email: info@freedomlegalteam.com
11 *Attorneys for Plaintiff George Race*

12 **UNITED STATES DISTRICT COURT**
13 **DISTRICT OF NEVADA**

14 George Race,

15 Plaintiff,

16 v.

17 Resurgent, Capital Services, LP dba
18 Capital Portfolio Services, LLC, dba
19 Capital Portfolio Group, LLC, and
20 Northeast Capital, LLC,

21 Defendants.

Case No.: 2:24-cv-02286-JCM-DJA

**Discovery Plan and Scheduling
Order Submitted in Compliance
with LR 26-1(b)**

On January 24, 2025, Resurgent, Capital Services, LP appeared in this case and the Court set a deadline to file a proposed discovery plan and scheduling order by March 10, 2025. Accordingly, George Race and Resurgent, Capital Services, LP (collectively as the “Parties”), by and through their respective counsel, hereby submit this Joint Discovery Plan and Scheduling Order. The parties will require 180 days of discovery measured from the date that Resurgent, Capital Services, LP filed its answer to Plaintiff's complaint.

DISCOVERY PLAN

The parties propose the following discovery plan and scheduling order:

- | | |
|---|--------------------|
| 1. Initial disclosures | March 25, 2025 |
| 2. Amend pleadings and add parties .. | April 24, 2025 |
| 3. Expert disclosures (initial): | May 26, 2025 |
| 4. Expert disclosures (rebuttal): | June 23, 2025 |
| 5. Discovery cutoff date: | July 23, 2025 |
| 6. File Dispositive motions: | September 22, 2025 |
| 7. Pretrial order | October 22, 2025 |

In the event that dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until **30 days after** decision on the dispositive motions or until further order of the court.

Pretrial Disclosures: The disclosures required by Rule 26(a)(3), and any objections thereto, shall be included in the joint pretrial order.

1 Extensions or Modifications of the Discovery Plan and Scheduling Order:

2 Applications to extend any date set by the discovery plan, scheduling order, or other
3 order must comply with the Local Rules.

4 Protective Order: The parties may seek to enter a stipulated protective order
5 pursuant to Rule 26(c) prior to producing any confidential documents.

6 Electronic Service: The parties agree that pursuant to Rules 5(b)(2)(E) and
7 6(d) of the Federal Rules of Civil Procedure any pleadings or other papers may be
8 served by sending such documents by email.

9 Alternative Dispute Resolution Certification: The parties certify that they met
10 and conferred about the possibility of using alternative dispute-resolution processes
11 including mediation, arbitration, and early neutral evaluation. The parties have not
12 reached any stipulations at this stage.

13 Alternative Forms of Case Disposition Certification: The parties certify that
14 they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and
15 Fed. R. Civ. P. 73 and the use of the Short Trial Program (General Order 2013-01).
16 The parties have not reached any stipulations at this stage.

17 Electronically Stored Information: The parties have discussed the retention
18 and production of electronic data. The parties agree that service of discovery by
19 electronic means, including sending original electronic files by email or on a cd is
20 sufficient. The parties reserve the right to revisit this issue if a dispute or need arises.

1 Electronic evidence conference certification: The parties further intend to
2 present evidence in electronic format to jurors for the purposes of jury deliberations
3 at trial. The parties discussed the presentation of evidence for juror deliberations but
4 did not reach any stipulations as to the method as this early stage.
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6 Dated: February 20, 2025.
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8 **FREEDOM LAW FIRM**

9 /s/ Gerardo Avalos

10 Gerardo Avalos, Esq.
11 8985 South Eastern Ave., Suite 100
12 Las Vegas, NV 89123
13 *Counsel for Plaintiff George Race*

14 **SPRINGEL & FINK LLP**

15 /s/ Leonard T. Fink

16 Leonard T. Fink, Esq.
17 9075 W. Diablo Drive, Suite 302
18 Las Vegas, Nevada 89148
19 *Counsel for Resurgent, Capital Services, LP*
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SCHEDULING ORDER

The above-set stipulated Discovery Plan of the parties shall be the Scheduling Order for this action pursuant to Federal Rule of Civil Procedure 16(b) and Local Rule 16-1.

IT IS SO ORDERED:



DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE

DATED: 2/24/2025